

**REMARKS**

Applicants have amended claims 1,2, 4-7, 10, 11, 13, 14, 16, 23 and 25 in order to clarify the scope of the pending claims. Applicants have also cancelled claims 3, 12, 18-22 and 24; thus seventeen claims remain pending: claims 1-2, 4-11, 13-17, 23 and 25.

**Information Disclosure Statement**

Applicants are submitting an Information Disclosure Statement under separate cover. Applicants request that the Examiner consider the references listed therein and return an initialed copy of the PTO/SB/08A form with the next paper for this application.

**Claim Rejections Under 35 U.S.C. §102(e)**

The Examiner has rejected claims 1-15 under 35 U.S.C. 102(e) as being anticipated by RE 38,598 (Frese et al.). Applicants respectfully traverse this rejection. Applicants, however, have amended independent claims 1, 7 and 10 to clarify their scope and differences over Frese et al.

Claim 1 for example now recites:

1. (currently amended) A method for communicating with a factory automation control system via a remote computer, the remote computer including an object container, the method comprising:

requesting, via the remote computer, factory automation control system information wherein the factory automation control system is configured to control an industrial process;

receiving, from the factory automation control system, the factory automation control system information at the object container; and

running a an ActiveX control software application in the object container so as to enable a user at the remote computer to view the received factory automation control system information.

Support for this amendment, and amendments to claims 7 and 10, is found, at least, at original claims 3, 12, 18 and 24; page 12, line 22 to page 13, line 5; and FIGS. 9-12. In FIG. 9, for example, shown a user interface depicting a factory environment in which an industrial process is carried out. The user interface depicted in FIG. 9, allows a user to remotely view factory automation control system information:

If the user depresses the Alarm button 702, the Alarm display shown in Figure 10 is displayed. The Alarm display shows alarm data 710 provided by the Alarm Handler. If the History button is depressed, the History display shown in Figure 11 is displayed. The History display shows displays historical data 720 provided by the History handler.

(Applicants' Specification, pg. 12, line 22 to Pg. 13, line 5).

Although Frese et al. describe their system and method as "controlling an application program over a network" (See Abstract), Frese et al. simply does not teach nor suggest either a method or system in which a remote computer is enabled so as to allow a user to view "factory automation control system information" from a factory automation control system that "is configured to control an industrial process" as recited in amended independent claims 1 and 10. Moreover, Friese et al. does not teach nor suggest "running an ActiveX control" in an object container of a remote computer "so as to enable a user at the remote computer to view the received factory automation control system information" as recited in amended claims 1 and 10.

With respect to claim 7, the Examiner presumably contends column 7, lines 6-13 discloses Applicants' "input/output (I/O) unit." Applicants have reviewed this portion of Frese et al. and Applicants submit that Frese et al.'s I/O devices such as "a mouse, keyboard, or monitor" can not correspond to Applicants' "I/O unit" because Frese et al.'s mouse, keyboard and monitor simply do not "communicate with a corresponding node in the industrial process." as recited in claim 7. Moreover, Frese et al. does not teach nor suggest a remote computer "with an ActiveX control to request, receive and manipulate said process data" as recited in claim 7.

As a consequence, Applicants submit independent claims 1, 7 and 10 are novel, non-obvious and in condition for allowance. In addition, Applicants submit dependent claims 2, 4-6, 11, and 13-15 are allowable, at least, by virtue of being dependent from allowable independent claims.

### **Claim Rejections Under 35 U.S.C. §102(b)**

The Examiner has rejected claims 16-25 under 35 U.S.C. 102(b) as being anticipated by US 5,995,756 (Hermann). Applicants respectfully traverse this rejection and point out that claims 16-25 can not properly be rejected under 102(b) over Hermann because Applicants claim priority to October 29, 1999, which predates the issuance of the Hermann patent (November 30, 1999). Nonetheless, Applicants have amended independent claims 16 and 23 to clarify their scope and differences over Hermann.

For example, independent claim 16 was amended to recite:

receiving the industrial factory automation control system data at the remote computer; and  
displaying the industrial factory automation control system data with the object container.

Claim 23 was also amended to recite:

a second computer remote from the first computer, the second computer including an object container and an ActiveX component for executing an instance of the deskbound application, and wherein the second computer is configured to receive, via a communication path, factory automation control system data from the first computer so as to enable a user at the second computer to monitor the factory automation control system at the second computer.

Support for amendments to claims 16 and 23 is found, at least, at original claims 3, 12, 18 and 24; page 12, line 22 to page 13, line 5; and FIGS. 9-12.

Applicants submit that Hermann neither teaches nor suggests a remote computer that is configured to receive “factory automation control system data” as recited in independent claims

16 and 23. Instead, Hermann is directed to a system that is used to implement a form as an “application page” that published as an ActiveX object. Once the form is built into an ActiveX object, it can be downloaded and run by a client. (See Hermann, Summary of the Invention, Col. 3, lines 25-30). Hermann simply does not suggest interacting with a factory automation control system, and as a consequence, Hermann neither anticipates nor renders claims 16 and 23 obvious. Applicants, therefore, submit independent claims 16 and 23 are in condition for allowance, and dependent claims 17 and 25 are allowable by virtue of their respective dependence from allowable claims 16 and 23.

## **CONCLUSION**

In view of the foregoing, Applicants respectfully submit that no further impediments exist to the allowance of this application and, therefore, solicit an indication of allowability. However, the Examiner is requested to call the undersigned if any question or comments arise.

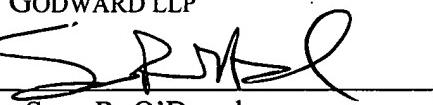
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

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Respectfully Submitted

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